

1 **TITLE II—AMENDMENTS TO THE**
2 **REHABILITATION ACT OF 1973**

3 **SEC. 201. FINDINGS.**

4 Section 2(a) of the Rehabilitation Act of 1973 (29
5 U.S.C. 701(a)) is amended—

6 (1) in paragraph (5), by striking “and” at the
7 end;

8 (2) in paragraph (6), by striking the period and
9 inserting “; and”; and

10 (3) by adding at the end the following:

11 “(7) there is a substantial need to improve and
12 expand services for students with disabilities under
13 this Act.”.

14 **SEC. 202. DEFINITIONS.**

15 Section 7 of the Rehabilitation Act of 1973 (29
16 U.S.C. 705) is amended—

17 (1) by redesignating paragraphs (35) through
18 (39) as paragraphs (36) through (40), respectively;

19 (2) in subparagraph (A)(ii) of paragraph (36)
20 (as redesignated in paragraph (1)), by striking
21 “paragraph (36)(C)” and inserting “paragraph
22 (37)(C)”; and

23 (3) by inserting after paragraph (34) the fol-
24 lowing:

1 “(35)(A) The term ‘student with a disability’
2 means an individual with a disability who—

3 “(i) is not younger than 14 and not older
4 than 21;

5 “(ii) has been determined to be eligible
6 under section 102(a) for assistance under this
7 title; and

8 “(iii)(I) is eligible for, and is receiving,
9 special education under part B of the Individ-
10 uals with Disabilities Education Act (20 U.S.C.
11 1411 et seq.); or

12 “(II) is an individual with a disability, for
13 purposes of section 504.

14 “(B) The term ‘students with disabilities’
15 means more than 1 student with a disability.”.

16 **SEC. 203. ADDITIONAL AUTHORIZATION OF APPROPRIA-**
17 **TIONS.**

18 (a) AMENDMENTS.—Section 100 of the Rehabilita-
19 tion Act of 1973 (29 U.S.C. 720) is amended—

20 (1) by redesignating subsection (d) as sub-
21 section (e); and

22 (2) by inserting after subsection (c) the fol-
23 lowing:

24 “(d) ADDITIONAL AUTHORIZATION OF APPROPRIA-
25 TIONS FOR SERVICES TO STUDENTS WITH DISABIL-

1 ITIES.—In addition to any funds appropriated under sub-
2 section (b)(1), there are authorized to be appropriated
3 such sums as may be necessary for fiscal years 2004
4 through 2009 to carry out programs and activities under
5 sections 101(a)(25)(B) and 103(b)(6).”.

6 (b) CONFORMING AMENDMENTS.—Section 110(a) of
7 the Rehabilitation Act of 1973 (29 U.S.C. 730(a)) is
8 amended—

9 (1) in paragraph (2)(B), by striking “section
10 100(b)(1)” and inserting “subsections (b)(1) and (d)
11 of section 100”; and

12 (2) in paragraph (3), by striking “section
13 100(b)(1)” and inserting “subsections (b)(1) and (d)
14 of section 100”.

15 **SEC. 204. STATE PLAN.**

16 (a) ASSESSMENT AND STRATEGIES.—Section
17 101(a)(15) of the Rehabilitation Act of 1973 (29 U.S.C.
18 721(a)(15)) is amended—

19 (1) in subparagraph (A)(i)—

20 (A) in subclause (II), by striking “and” at
21 the end;

22 (B) in subclause (III), by adding “and” at
23 the end; and

24 (C) by adding at the end the following:

1 “(IV) students with disabilities,
2 including their need for transition
3 services;”; and

4 (2) in subparagraph (D)—

5 (A) by redesignating clauses (iii), (iv), and
6 (v) as clauses (iv), (v), and (vi), respectively;
7 and

8 (B) by inserting after clause (ii) the fol-
9 lowing:

10 “(iii) the methods to be used to im-
11 prove and expand vocational rehabilitation
12 services for students with disabilities, in-
13 cluding the coordination of services de-
14 signed to facilitate the transition of such
15 students from the receipt of educational
16 services in school to the receipt of voca-
17 tional rehabilitation services under this
18 title or to postsecondary education or em-
19 ployment.”.

20 (b) SERVICES FOR STUDENTS WITH DISABILITIES.—

21 Section 101(a) of the Rehabilitation Act of 1973 (29
22 U.S.C. 721(a)) is amended by adding at the end the fol-
23 lowing:

1 “(25) SERVICES FOR STUDENTS WITH DISABIL-
2 ITIES.—The State plan shall provide an assurance
3 satisfactory to the Secretary that the State—

4 “(A) has developed and implemented strat-
5 egies to address the needs identified in the as-
6 sessment described in paragraph (15), and
7 achieve the goals and priorities identified by the
8 State, to improve and expand vocational reha-
9 bilitation services for students with disabilities
10 on a statewide basis in accordance with para-
11 graph (15); and

12 “(B) will use funds appropriated under
13 section 100(d) to carry out programs or activi-
14 ties designed to improve and expand vocational
15 rehabilitation services for students with disabil-
16 ities that—

17 “(i) facilitate the transition of the stu-
18 dents with disabilities from the receipt of
19 educational services in school, to the re-
20 ceipt of vocational rehabilitation services
21 under this title, including, at a minimum,
22 those services specified in the interagency
23 agreement required in paragraph (11)(D);

24 “(ii) improve the achievement of post-
25 school goals of students with disabilities,

1 including improving the achievement
2 through participation in meetings regard-
3 ing individualized education programs de-
4 veloped under section 614 of the Individ-
5 uals with Disabilities Education Act (20
6 U.S.C. 1414);

7 “(iii) provide vocational guidance, ca-
8 reer exploration services, and job search
9 skills and strategies and technical assist-
10 ance to students with disabilities;

11 “(iv) support the provision of training
12 and technical assistance to State and local
13 educational agency and designated State
14 agency personnel responsible for the plan-
15 ning and provision of services to students
16 with disabilities; and

17 “(v) support outreach activities to stu-
18 dents with disabilities who are eligible for,
19 and need, services under this title.”.

20 **SEC. 205. SCOPE OF SERVICES.**

21 Section 103 of the Rehabilitation Act of 1973 (29
22 U.S.C. 723) is amended—

23 (1) in subsection (a)(15), by inserting “, includ-
24 ing services described in clauses (i) through (iii) of
25 section 101(a)(25)(B)” before the semicolon; and

1 (2) in subsection (b), by striking paragraph (6)
2 and inserting the following:

3 “(6)(A)(i) Consultation and technical assistance
4 services to assist State and local educational agen-
5 cies in planning for the transition of students with
6 disabilities from school to post-school activities, in-
7 cluding employment.

8 “(ii) Training and technical assistance de-
9 scribed in section 101(a)(25)(B)(iv).

10 “(B) Services for groups of individuals with dis-
11 abilities who meet the requirements of clauses (i)
12 and (iii) of section 7(35)(A), including services de-
13 scribed in clauses (i), (ii), (iii), and (v) of section
14 101(a)(25)(B), to assist in the transition from
15 school to post-school activities.”.

16 **SEC. 206. STANDARDS AND INDICATORS.**

17 Section 106(a) of the Rehabilitation Act of 1973 (29
18 U.S.C. 726(a)) is amended by striking paragraph (1)(C)
19 and all that follows through paragraph (2) and inserting
20 the following:

21 “(2) MEASURES.—The standards and indica-
22 tors shall include outcome and related measures of
23 program performance that—

24 “(A) facilitate the accomplishment of the
25 purpose and policy of this title;

1 “(B) to the maximum extent practicable,
2 are consistent with the core indicators of per-
3 formance, and corresponding State adjusted lev-
4 els of performance, established under section
5 136(b) of the Workforce Investment Act of
6 1998 (29 U.S.C. 2871(b)); and

7 “(C) include measures of the program’s
8 performance with respect to the transition to
9 post-school activities, and achievement of the
10 post-school goals, of students with disabilities
11 served under the program.”.

12 **TITLE III—NATIONAL CENTER**
13 **FOR SPECIAL EDUCATION RE-**
14 **SEARCH**

15 **SEC. 301. NATIONAL CENTER FOR SPECIAL EDUCATION RE-**
16 **SEARCH.**

17 (a) AMENDMENT.—The Education Sciences Reform
18 Act of 2002 (20 U.S.C. 9501 et seq.) is amended—

19 (1) by redesignating part E as part F; and

20 (2) by inserting after part D the following:

1 **“PART E—NATIONAL CENTER FOR SPECIAL**
2 **EDUCATION RESEARCH**

3 **“SEC. 175. ESTABLISHMENT.**

4 “(a) ESTABLISHMENT.—There is established in the
5 Institute a National Center for Special Education Re-
6 search.

7 “(b) MISSION.—The mission of the National Center
8 for Special Education Research (in this part referred to
9 as the ‘Special Education Research Center’) is—

10 “(1) to sponsor research to expand knowledge
11 and understanding of the needs of infants, toddlers,
12 and children with disabilities in order to improve the
13 developmental, educational, and transitional results
14 of such individuals;

15 “(2) to sponsor research to improve services
16 provided under, and support the implementation of,
17 the Individuals with Disabilities Education Act; and

18 “(3) to evaluate the implementation and effec-
19 tiveness of the Individuals with Disabilities Edu-
20 cation Act in coordination with the National Center
21 for Education Evaluation and Regional Assistance.

22 “(c) APPLICABILITY OF EDUCATION SCIENCES RE-
23 FORM ACT OF 2002.—Parts A and F, and the standards
24 for peer review of applications and for the conduct and
25 evaluation of research under sections 133(a) and 134, re-

1 spectively, shall apply to the Secretary, the Director, and
2 the Commissioner in carrying out this part.

3 **“SEC. 176. COMMISSIONER FOR SPECIAL EDUCATION RE-**
4 **SEARCH.**

5 The Center shall be headed by a Commissioner for
6 Special Education Research (in this part referred to as
7 ‘the Special Education Research Commissioner’) who shall
8 have substantial knowledge of the Special Education Re-
9 search Center’s activities, including a high level of exper-
10 tise in the fields of research, research management, and
11 the education of children with disabilities.

12 **“SEC. 177. DUTIES.**

13 “(a) GENERAL DUTIES.—The research activities that
14 the Special Education Research Center may carry out
15 under this part include activities to—

16 “(1) improve services provided under the Indi-
17 viduals with Disabilities Education Act in order to
18 improve academic achievement, functional outcomes,
19 and educational results for children with disabilities;

20 “(2) identify scientifically based educational
21 practices that support learning and improve aca-
22 demic achievement, functional outcomes, and edu-
23 cational results for all students with disabilities;

24 “(3) examine the special needs of preschool
25 aged children, infants, and toddlers with disabilities,

1 including factors that may result in developmental
2 delays;

3 “(4) identify scientifically based related services
4 and interventions that promote participation and
5 progress in the general education curriculum and
6 general education settings;

7 “(5) improve the alignment, compatibility, and
8 development of valid and reliable assessments, in-
9 cluding alternate assessments, as required by section
10 1111(b) of the Elementary and Secondary Edu-
11 cation Act of 1965;

12 “(6) examine State content standards and alter-
13 nate assessments for students with significant cog-
14 nitive impairment in terms of academic achievement,
15 individualized instructional need, appropriate edu-
16 cation settings, and improved post-school results;

17 “(7) examine the educational, developmental,
18 and transitional needs of children with high inci-
19 dence and low incidence disabilities;

20 “(8) examine the extent to which overidentifica-
21 tion and underidentification of children with disabil-
22 ities occurs, and the causes thereof;

23 “(9) improve reading and literacy skills of chil-
24 dren with disabilities;

1 “(10) examine and improve secondary and post-
2 secondary education and transitional outcomes and
3 results for children with disabilities;

4 “(11) examine methods of early intervention for
5 children with disabilities who need significant levels
6 of support;

7 “(12) examine and incorporate universal design
8 concepts in the development of standards, assess-
9 ments, curricula, and instructional methods as a
10 method to improve educational and transitional re-
11 sults for children with disabilities;

12 “(13) improve the preparation of personnel who
13 provide educational and related services to children
14 with disabilities to increase the academic achieve-
15 ment and functional performance of students with
16 disabilities;

17 “(14) examine the excess costs of educating a
18 child with a disability and expenses associated with
19 high cost special education and related services; and

20 “(15) help parents improve educational results
21 for their children, particularly related to transition
22 issues.

23 “(b) STANDARDS.—The Commissioner of Special
24 Education Research shall ensure that activities assisted
25 under this section—

1 “(1) conform to high standards of quality, in-
2 tegrity, accuracy, validity, and reliability;

3 “(2) are carried out in conjunction with the
4 standards for the conduct and evaluation of all re-
5 search and development established by the National
6 Center for Education Research; and

7 “(3) are objective, secular, neutral, and non-
8 ideological, and are free of partisan political influ-
9 ence, and racial, cultural, gender, regional, or dis-
10 ability bias.

11 “(c) PLAN.—The Commissioner of Special Education
12 Research shall propose to the Director a research plan,
13 developed in collaboration with the Assistant Secretary for
14 Special Education and Rehabilitative Services, that—

15 “(1) is consistent with the priorities and mis-
16 sion of the Institute and the mission of the Special
17 Education Research Center;

18 “(2) is carried out, updated, and modified, as
19 appropriate;

20 “(3) is consistent with the purpose of the Indi-
21 viduals with Disabilities Education Act;

22 “(4) contains an appropriate balance across all
23 age ranges and types of children with disabilities;

1 “(5) provides for research that is objective and
2 uses measurable indicators to assess its progress and
3 results;

4 “(6) is coordinated with the comprehensive plan
5 developed under section 661 of the Individuals with
6 Disabilities Education Act; and

7 “(7) provides that the research conducted under
8 part D of the Individuals with Disabilities Education
9 Act is relevant to special education practice and pol-
10 icy.

11 “(d) GRANTS, CONTRACTS, AND COOPERATIVE
12 AGREEMENTS.—In carrying out the duties under this sec-
13 tion, the Director may award grants to, or enter into con-
14 tracts or cooperative agreements with, eligible entities.

15 “(e) APPLICATIONS.—An eligible entity that wishes
16 to receive a grant, or enter into a contract or cooperative
17 agreement, under this part shall submit an application to
18 the Director at such time, in such manner, and containing
19 such information as the Director may require.

20 “(f) DISSEMINATION.—The Special Education Re-
21 search Center shall—

22 “(1) synthesize and disseminate, through the
23 National Center for Education Evaluation and Re-
24 gional Assistance, the findings and results of special

1 education research conducted or supported by the
2 Special Education Research Center; and

3 “(2) assist the Director in the preparation of a
4 biennial report, as described in section 119.

5 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this part
7 such sums as may be necessary for each of fiscal years
8 2004 through 2009.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) EDUCATION SCIENCES REFORM ACT OF
11 2002.—The Education Sciences Reform Act of 2002
12 (20 U.S.C. 9501 et seq.) is amended—

13 (C) in section 111(b)(1)(A) (20 U.S.C.
14 9511(b)(1)(A)), by inserting “and special edu-
15 cation” after “early childhood education”.

16 (B) in section 111(c)(3) (20 U.S.C.
17 9511(c)(3))—

18 (i) in subparagraph (B), by striking
19 “and” after the semicolon;

20 (ii) in subparagraph (C), by striking
21 the period and inserting “; and”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(D) the National Center for Special Edu-
25 cation Research (as described in part E).”;

1 (C) in section 115(a) (20 U.S.C. 9515(a)),
2 by striking “including those” and all that fol-
3 lows through “such as” and inserting “includ-
4 ing those associated with the goals and require-
5 ments of the Elementary and Secondary Edu-
6 cation Act of 1965 (20 U.S.C. 6301 et seq.),
7 the Individuals with Disabilities Education Act
8 (20 U.S.C. 1400 et seq.), and the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1001 et seq.),
10 such as”; and

11 (D) in section 116(c)(4)(A)(ii) (20 U.S.C.
12 9516(c)(4)(A)(ii) is amended by inserting “spe-
13 cial education experts,” after “early childhood
14 experts,”.

15 (2) ELEMENTARY AND SECONDARY EDUCATION
16 ACT OF 1965.—Section 1117(a)(3) of the Elementary
17 and Secondary Education Act of 1965 (20 U.S.C.
18 6317(a)(3)) is amended by striking “part E” and in-
19 serting “part D”.

20 (c) TRANSITION PROVISIONS.—

21 (1) ORDERLY TRANSITION.—Notwithstanding
22 any other provision of law, the Secretary of Edu-
23 cation shall take such steps as are necessary to pro-
24 vide for the orderly transition to, and implementa-
25 tion of, part E of the Education Science Reform Act

1 of 2002, as enacted by subsection (a), from research
2 activities carried out under section 672 of the Indi-
3 viduals with Disabilities Education Act (as such sec-
4 tion was in effect on the day before the date of en-
5 actment of this Act).

6 (2) CONTINUATION OF AWARDS.—The Sec-
7 retary of Education shall continue research awards
8 made under section 672 of the Individuals with Dis-
9 abilities Education Act (as such section was in effect
10 on the day before the date of enactment of this Act)
11 that are in effect on the day before the date of en-
12 actment of this Act in accordance with the terms of
13 those awards.

14 (d) EFFECTIVE DATES.—Notwithstanding any other
15 provision of law—

16 (1) the amendments made by subsections (a)
17 and (b) of this section shall take effect on October
18 1, 2004; and

19 (2) section 672 of the Individuals with Disabil-
20 ities Education Act (as such section was in effect on
21 the day before the date of enactment of this Act)
22 shall remain in effect through September 30, 2004.

1 **TITLE IV—COMMISSION ON UNI-**
2 **VERSAL DESIGN AND THE AC-**
3 **CESSIBILITY OF CUR-**
4 **RICULUM AND INSTRU-**
5 **TIONAL MATERIALS**

6 **SEC. 401. COMMISSION ON UNIVERSAL DESIGN AND THE**
7 **ACCESSIBILITY OF CURRICULUM AND IN-**
8 **STRUCTIONAL MATERIALS.**

9 (a) ESTABLISHMENT AND PURPOSE.—

10 (1) ESTABLISHMENT.—There is established a
11 Commission (hereafter in this section referred to as
12 the “Commission”) to study, evaluate, and make ap-
13 propriate recommendations to the Congress and to
14 the Secretary on universal design and accessibility of
15 curriculum and instructional materials for use by all
16 children, with a particular focus on children with
17 disabilities, in elementary schools and secondary
18 schools.

19 (2) PURPOSE.—The purpose of the Commission
20 is—

21 (A) to survey the issues related to improv-
22 ing access to curriculum and instructional ma-
23 terials for children with disabilities, with and
24 without assistive technologies;

1 (B) to study the benefits, current or poten-
2 tial costs, and challenges of developing and im-
3 plementing a standard definition of the term
4 universal design as a means to achieve accessi-
5 bility of curriculum and instructional materials,
6 and as the Commission determines necessary,
7 to recommend a definition for the term uni-
8 versal design, or other terms, taking into con-
9 sideration educational objectives, investment of
10 resources, state of technology, and effect on de-
11 velopment of curriculum and instructional ma-
12 terials;

13 (C) to examine issues related to the need
14 for and current availability and accessibility of
15 curriculum and instructional materials for use
16 in elementary schools and secondary schools by
17 children with disabilities, gaps in or conflicts
18 among relevant technical standards, educational
19 quality, availability of instructional materials,
20 technical standards, intellectual property rights,
21 and the economic and technical feasibility of
22 implementing any recommended definitions; and

23 (D) to provide the Congress and the Sec-
24 retary, not later than 24 months after the date

1 of enactment of this Act, the report described
2 in subsection (d).

3 (b) MEMBERSHIP.—

4 (1) COMPOSITION.—The Commission shall be
5 composed of 21 members, of which—

6 (A) 3 members shall be appointed by the
7 Majority Leader of the Senate;

8 (B) 2 members shall be appointed by the
9 Minority Leader of the Senate;

10 (C) 3 members shall be appointed by the
11 Speaker of the House of Representatives;

12 (D) 2 members shall be appointed by the
13 Minority Leader of the House;

14 (E) 8 members shall be appointed by the
15 Secretary including representatives of States,
16 local educational agencies, publishers of instruc-
17 tional material, individuals with disabilities,
18 technical standard setting bodies, and author-
19 ized entities as defined in section 121(c)(1) of
20 title 17, United States Code; and

21 (F) 3 members shall be appointed by the
22 Registrar of Copyrights.

23 (2) EXPERTISE OF COMMISSIONERS.—All mem-
24 bers of the Commission shall be individuals who
25 have been appointed on the basis of technical quali-

1 fications, professional expertise, and demonstrated
2 knowledge and shall include at least 4 representa-
3 tives of each of the following:

4 (A) publishers of instructional materials,
5 including of textbooks, software, and other
6 print, electronic, or digital curricular materials;

7 (B) elementary and secondary education,
8 including teachers, special educators, and State
9 and local education officials or administrators;

10 (C) researchers in the fields of disabilities,
11 technology, and accessible media;

12 (D) experts in intellectual property rights;
13 and

14 (E) advocates of children with disabilities,
15 including parents of blind, visually impaired,
16 deaf, hearing impaired, physically challenged,
17 cognitively impaired, or learning disabled, or
18 representatives of organizations that advocate
19 for such children.

20 (3) DATE.—The appointment of the members
21 of the Commission shall be made not later than 60
22 days after the date of enactment of this Act.

23 (4) PERIOD OF APPOINTMENT AND VACAN-
24 CIES.—Members shall be appointed for the life of
25 the Commission. Any vacancy in the Commission

1 shall not affect its powers, but shall be filled in the
2 same manner as the original appointment.

3 (5) INITIAL MEETING.—Not later than 45 days
4 after the date on which all members of the Commis-
5 sion have been appointed, the Commission shall hold
6 the Commission's first meeting.

7 (6) MEETINGS.—The Commission shall meet at
8 the call of the Chairperson.

9 (7) QUORUM.—A majority of the members of
10 the Commission shall constitute a quorum, but a
11 lesser number of members may hold hearings.

12 (8) CHAIRPERSON AND VICE CHAIRPERSON.—
13 The Commission shall select a chairperson and vice
14 chairperson from among the members of the Com-
15 mission.

16 (c) PUBLIC HEARINGS.—As part of the study con-
17 ducted under this subsection, the Commission shall hold
18 public hearings, including through the use of the Internet
19 or other technologies, for the purposes referred to in sub-
20 section (a).

21 (d) REPORT.—

22 (1) INTERIM REPORT.—Not later than 12
23 months after the establishment of the Commission,
24 the Commission shall provide to the Secretary and
25 Congress an interim report on the Commission's ac-

1 tivities during the Commission's first year and any
2 preliminary findings.

3 (2) FINAL REPORT.—Not later than 24 months
4 after the establishment of the Commission, the Com-
5 mission shall submit a report to the Secretary and
6 Congress that shall contain—

7 (A) recommendations determined necessary
8 regarding definitions of the terms described in
9 subsection (a)(2)(B);

10 (B) recommendations for additional re-
11 search; and

12 (C) a detailed statement of the findings
13 and conclusions of the Commission resulting
14 from the study of the issues identified in sub-
15 section (a)(2)(C).

16 (e) POWERS OF THE COMMISSION.—

17 (1) AUTHORITY OF COMMISSION.—The Com-
18 mission may hold such hearings, convene and act at
19 such times and places, take such testimony, and re-
20 ceive such evidence, as the Commission considers
21 necessary to carry out the responsibilities of the
22 Commission.

23 (2) USE OF MAIL.—The Commission may use
24 the United States mails in the same manner and

1 under the same conditions as other departments and
2 agencies of the Federal Government.

3 (3) GIFTS.—The Commission may accept, use,
4 and dispose of gifts or donations of services or prop-
5 erty.

6 (4) COMPENSATION.—Except as provided in
7 paragraph (5), each member of the Commission who
8 is not an officer or employee of the Federal Govern-
9 ment shall serve without compensation. All members
10 of the Commission who are officers or employees of
11 the United States shall serve without compensation
12 in addition to that received for their services as offi-
13 cers or employees of the United States.

14 (5) PER DIEM.—The members of the Commis-
15 sion shall be allowed travel expenses, including per
16 diem in lieu of subsistence, at rates authorized for
17 employees of agencies under subchapter I of chapter
18 57 of title 5, United States Code, while away from
19 their homes or regular places of business in the per-
20 formance of services for the Commission.

21 (6) EXECUTIVE DIRECTOR.—

22 (A) IN GENERAL.—The Chairperson of the
23 Commission may, without regard to the civil
24 service laws and regulations, appoint and termi-
25 nate an executive director and such other addi-

1 tional personnel as may be necessary to enable
2 the Commission to perform the Commission's
3 duties.

4 (B) CONFIRMATION BY COMMISSION.—The
5 employment of an executive director shall be
6 subject to confirmation by the Commission.

7 (C) COMPENSATION.—The Chairperson of
8 the Commission may fix the compensation of
9 the executive director and other personnel with-
10 out regard to the provisions of chapter 51 and
11 subchapter III of chapter 53 of title 5, United
12 States Code, relating to classification of posi-
13 tions and General Schedule pay rates, except
14 that the rate of pay for the executive director
15 and other personnel may not exceed the rate
16 payable for level V of the Executive Schedule
17 under section 5316 of such title.

18 (7) DETAILING OF FEDERAL EMPLOYEES.—Any
19 Federal Government employee may be detailed to
20 the Commission without reimbursement, and such
21 detail shall be without interruption or loss of civil
22 service status or privilege.

23 (8) TEMPORARY AND INTERMITTENT SERV-
24 ICES.—The Chairperson of the Commission may
25 procure temporary and intermittent services under

1 section 3109(b) of title 5, United States Code, at
2 rates for individuals that do not exceed the daily
3 equivalent of the annual rate of basic pay prescribed
4 for level V of the Executive Schedule under section
5 5316 of such title.

6 (f) TERMINATION OF THE COMMISSION.—The Com-
7 mission shall terminate on the date that is 90 days after
8 the date on which the Commission submits its final report
9 under subsection (d)(2).

10 (g) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) AUTHORIZATION.—There are authorized to
12 be appropriated \$750,000 for fiscal year 2004, and
13 such sums as necessary for fiscal year 2005 to carry
14 out the provisions of this section.

15 (2) AVAILABILITY.—Any sums appropriated
16 under the authorization contained in this subsection
17 shall remain available, without fiscal year limitation,
18 until expended.